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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
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SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON

9 UNITED STATES DISTRICT COURT
10 FOR THE EASTERN DISTRICT OF WASHINGTON

11 UNITED STATES OF AMERICA,

Case No. 2:23-CR-74-MKD

12 Plaintiff,

INDICTMENT

13 v.

14 TONY J. BOLEN (a/k/a "Tony James
15 Gregory Bolen"), and
16 CASEY ALLEN GREER (a/k/a "Casey
17 A. Macgregor"),
18 Defendants.

18 U.S.C. § 2251(a), (e)
Conspiracy to Produce Child
Pornography
(Count 1)

18 U.S.C. § 2251(a), (e)
Production and Attempted
Production of Child Pornography
(Count 2)

18 U.S.C. § 2252A(a)(2)(A), (b)(1)
Distribution of Child Pornography
(Count 3)

18 U.S.C. § 2252A(a)(2)(A), (b)(1)
Receipt of Child Pornography
(Count 4)

18 U.S.C. § 2252A(a)(1), (b)(1)
Transportation of Child Pornography
(Count 5)

18 U.S.C. § 2260A
Commission of a Felony Sex Offense
by an Individual Required to
Register as a Sex Offender
(Counts 6-7)

18 U.S.C. § 2253
Forfeiture Allegations

The Grand Jury charges:

COUNT 1

Between on or about October 28, 2021, and on or about December 9, 2021,
in the Eastern District of Washington, the Defendant, TONY J. BOLEN (a/k/a
“Tony James Gregory Bolen”), having been previously convicted of Child
Molestation in the First Degree, Case No. 00-1-02333-3, in violation of RCW
9A.44.083, in the Superior Court of Washington for Spokane County, and the
Defendant, CASEY ALLEN GREER (a/k/a “Casey A. Macgregor”), having been
previously convicted of Child Molestation in the First Degree, Case No. 96-1-
50035-5, in violation of RCW 9A.44.083, in the Superior Court of Washington for
Franklin County, did knowingly and intentionally combine, conspire, confederate
and agree with each other to employ, use, persuade, induce, entice, and coerce a
minor child, Minor S, born in 2011, to engage in sexually explicit conduct for the
purpose of producing any visual depiction of such conduct, such visual depiction
having been produced using materials that had been mailed, shipped, and
transported in and affecting interstate and foreign commerce by any means,
including by computer, knowing that such visual depiction will be transported or
transmitted using any means or facility of interstate and foreign commerce and in
or affecting interstate and foreign commerce, in violation of 18 U.S.C. § 2251(a),
(e).

COUNT 2

Between on or about October 28, 2021, and on or about December 9, 2021, in the Eastern District of Washington, the Defendant, TONY J. BOLEN (a/k/a “Tony James Gregory Bolen”), having been previously convicted of Child Molestation in the First Degree, Case No. 00-1-02333-3, in violation of RCW 9A.44.083, in the Superior Court of Washington for Spokane County, and the Defendant, CASEY ALLEN GREER (a/k/a “Casey A. Macgregor”), having been previously convicted of Child Molestation in the First Degree, Case No. 96-1-50035-5, in violation of RCW 9A.44.083, in the Superior Court of Washington for Franklin County, did knowingly employ, use, persuade, induce, entice, and coerce a minor child, Minor S, a minor born in 2011, to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, such visual depiction having been produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, knowing that such visual depiction will be transported or transmitted using any means or facility of interstate and foreign commerce and in or affecting interstate and foreign commerce, and did attempt to do the same, in violation of 18 U.S.C. § 2251(a), (e).

COUNT 3

Beginning on or about November 3, 2021, and continuing through on or about November 16, 2021, in the Eastern District of Washington, the Defendant, CASEY ALLEN GREER (a/k/a “Casey A. Macgregor”), having been previously convicted of Child Molestation in the First Degree, Case No. 96-1-50035-5, in violation of RCW 9A.44.083, in the Superior Court of Washington for Franklin County, did knowingly distribute child pornography, as defined in 18 U.S.C. § 2256(8)(A), the production of which involved the use of minors engaging in

1 sexually explicit conduct, and which visual depictions were of such conduct, that
2 had been mailed, and shipped and transported using any means and facility of
3 interstate and foreign commerce and in and affecting interstate and foreign
4 commerce by any means, including by computer, and that was produced using
5 materials that had been mailed, and shipped and transported in and affecting
6 interstate and foreign commerce by any means, including by computer, to wit:
7 visual depictions of minors engaging in sexually explicit conduct, including, but
8 not limited to, the lascivious exhibition of their genitals and pubic areas, in
9 violation of 18 U.S.C. § 2252A(a)(2)(A), (b)(1).
10

11 COUNT 4

12 Beginning on or about November 3, 2021, and continuing through on or
13 about November 16, 2021, in the Eastern District of Washington, the Defendant,
14 TONY J. BOLEN (a/k/a “Tony James Gregory Bolen”), having been previously
15 convicted of Child Molestation in the First Degree, Case No. 00-1-02333-3, in
16 violation of RCW 9A.44.083, in the Superior Court of Washington for Spokane
17 County, did knowingly receive child pornography, as defined in 18 U.S.C.
18 § 2256(8)(A), the production of which involved the use of minors engaging in
19 sexually explicit conduct, and which visual depictions were of such conduct, that
20 had been mailed, and shipped and transported using any means and facility of
21 interstate and foreign commerce and in and affecting interstate and foreign
22 commerce by any means, including by computer, and that was produced using
23 materials that had been mailed, and shipped and transported in and affecting
24 interstate and foreign commerce by any means, including by computer, to wit:
25 visual depictions of minors engaging in sexually explicit conduct, including, but
26 not limited to, the lascivious exhibition of their genitals and pubic areas, in
27 violation of 18 U.S.C. § 2252A(a)(2)(A), (b)(1).
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COUNT 5

On or about March 19, 2018, and continuing through on or about January 11, 2022, in the Eastern District of Washington, the Defendant, TONY J. BOLEN (a/k/a “Tony James Gregory Bolen”), having been previously convicted of Child Molestation in the First Degree, Case No. 00-1-02333-3, in violation of RCW 9A.44.083, in the Superior Court of Washington for Spokane County, did knowingly transport child pornography, as defined in 18 U.S.C. § 2256(8)(A), using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce by any means, including by computer, to wit: an image depicting a minor and prepubescent child engaging in sexually explicit conduct, including but not limited to the lascivious exhibition of the genitals and pubic area, in violation of 18 U.S.C. § 2252A(a)(1), (b)(1).

COUNT 6

The Defendant, TONY J. BOLEN (a/k/a “Tony James Gregory Bolen”), committed the felony offenses involving a minor charged in Counts 1 and 2 of this Indictment at times when Defendant was required by Federal and other law to register as a sex offender, in violation of 18 U.S.C. § 2260A.

COUNT 7

The Defendant, CASEY ALLEN GREER (a/k/a “Casey A. Macgregor”), committed the felony offenses involving a minor charged in Counts 1 and 2 of this Indictment at times when Defendant was required by Federal and other law to register as a sex offender, in violation of 18 U.S.C. § 2260A.

1 NOTICE OF FORFEITURE ALLEGATIONS

2 The allegations contained in this Indictment are hereby realleged and
3 incorporated by reference for the purpose of alleging forfeitures.

4 Pursuant to 18 U.S.C. § 2253, upon conviction of an offense in violation of
5 18 U.S.C. § 2251; and/or 18 U.S.C. § 2252A, as set forth in this Indictment, the
6 Defendants, TONY J. BOLEN (a/k/a “Tony James Gregory Bolen”), and CASEY
7 ALLEN GREER (a/k/a “Casey A. Macgregor”), shall forfeit to the United States
8 any visual depiction described in section 2251, 2251A, 2252, 2252A, 2252B, or
9 2260 of this chapter, or any book, magazine, periodical, film, videotape, or other
10 matter which contains any such visual depiction, which was produced, transported,
11 mailed, shipped or received in violation of this chapter; any property, real or
12 personal, constituting or traceable to gross profits or other proceeds obtained from
13 such offenses; and, any property, real or personal, used or intended to be used to
14 commit or to promote the commission of such offenses, or any property traceable
15 to such property, including, but not limited to, the following:

- 17 - an iPhone11, SN: DX3D76AMN72L;
18 - an iPhone12 Pro Max, SN: F2LF50P30D47.

19 If any of the property described above, as a result of any act or omission of
20 the Defendants:

- 21 a. cannot be located upon the exercise of due diligence;
22 b. has been transferred or sold to, or deposited with, a third party;
23 c. has been placed beyond the jurisdiction of the Court;
24 d. has been substantially diminished in value; or
25 e. has been commingled with other property which cannot be divided
26 without difficulty,
27
28

1 the United States of America shall be entitled to forfeiture of substitute property
2 pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 2253(b).

3 DATED this 21 day of June, 2023.

4
5 A TRUE BILL



10
11 *Vanessa Waldref*

12
13 Vanessa R. Waldref
14 United States Attorney

15
16 *A. Wick*

17 Ann T. Wick
18 Assistant United States Attorney